SUPREME COURT, U. S.
FILED
JUL 11 1974
MICHAEL RODAK, JR., CL

APPENDIX

IN THE

Supreme Court of the United States

OCTOBER TERM, 1973

NO. 73-1121

NORTH GEORGIA FINISHING, INC., *Petitioner*

V.

DI-CHEM, INC., *Respondent*

On Writ of Certiorari to the United States Supreme Court

Petition for Certiorari Filed January 17, 1974

Certiorari Granted May 28, 1974

THE SUPREME COURT OF THE UNITED STATES,
WASHINGTON, D. C.

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1. *Affidavit and Bond for Garnishment*

NO. 6827

SUPERIOR COURT OF

WHITFIELD COUNTY

AFFIDAVIT AND BOND FOR GARNISHMENT

DI-CHEM, INC., Plaintiff

V.

NORTH GEORGIA FINISHING, INC., Defendant

FIRST NATIONAL BANK OF DALTON, Garnishee

Filed in Office, this 8 20 71

DUAL BROADRICK, Clerk

H. E. KINNEY, Plaintiff's Attorney

SUPERIOR COURT OF *Whitfield* COUNTY

GEORGIA, *Whitfield* COUNTY.

Personally appeared *R. L. Foster, President of Di-Chem, Inc.*, who on oath says that he is *President of Di-Chem, Inc.*, plaintiff herein and that *North Georgia Finishing, Inc.* de-

fendant, is indebted to said plaintiff in the sum of $51,279.17 DOLLARS, principal, $ _____, interest, $ _____ attorney's fees, and $ _____ cost and that said plaintiff has—a suit pending—*returnable to the* Superior Court of *Whitfield* County, and that affiant has reason to apprehend the loss of said sum or some part thereof unless process of Garnishment issues.

Sworn to and subscribed before me,
this *August* 20, 1971

/s/ R. L. Foster, Affiant.

/s/ Dual Broadrick, Clerk
Superior Court of *Whitfield* County.

* (Italics indicate typewritten or manuscript, all other material printed form.)

GEORGIA, *Whitfield* COUNTY.

The plaintiff named in the foregoing affidavit, as principal, and the undersigned as security, jointly and severally are bound unto the defendant named in the foregoing affidavit in the sum at least equal to double the amount sworn to be due in said affidavit, subject to the following conditions:

The said Plaintiff as principal has sued out process of Garnishment upon—suit pending—in the Superior Court of *Whitfield* County against said defendant as alleged in the foregoing affidavit.

Now, should the said Plaintiff pay to the said Defendant all costs and damages that may be sustained by the said Defendant in consequence of suing said Garnishment in the event that Plaintiff fail to recover in said suit or in the event the amount sworn to be due on said judgment is not due, and in the event that the property or money sought to be garnished is not subject to garnishment process, then this Bond to be void.

Witness our hand and seal this 19 day of *August*, 1971.

DI-CHEM, INC.

BY: */s/ R. L. Foster, Pres.* (SEAL)
/s/ R. L. Foster, Security (SEAL)

Approved:

/s/ Dual Broadrick, Clerk

/s/ Smith Foster, Security
/s/ Bennie Albertson, Security

* (Italics indicate typewritten or manuscript, all other material printed form.)

2. *Summons of Garnishment*

SUPERIOR COURT OF WHITFIELD COUNTY

(Title omitted in printing)

GEORGIA, *Whitfield* COUNTY. NO. 6827

TO: *The First National Bank of Dalton*, Garnishee
Hamilton Street
Dalton, Georgia
Address

YOU ARE HEREBY REQUIRED to appear at the Superior Court of *Whitfield* County, No sooner Than Thirty (30) days, and No Later Than Forty-Five (45) Days After Date of Service, and in writing make your Answer of Garnishment, in which you state what property, money or effects you had in your hands at the date of service of this Summons, belonging to the defendant in the case of

Di-Chem, Inc.

versus

North Georgia Finishing, Inc.

AND also state what property, money or effects of the said Defendant have come into your hands between the time of the service of this Summons, and the time of making your Answer; and what you owed the Defendant at the date of the service of this Summons, and what amount you have

become indebted to the Defendant since the service of this summons.

Witness the Honorable *Robert L. Vining, Jr.*, Judge of said Court.

This *August* 20, 1971.

/s/ Dual Broadrick
Clerk, Superior Court of *Whitfield* County

* (Italics indicate typewritten or manuscript, all other material printed form.)